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HOUSE BILL 1219

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State of Washington

68th Legislature

2023 Regular Session

By Representatives Pollet and Bronoske

1 AN ACT Relating to public transportation benefit area governing  
2 bodies; amending RCW 36.57A.050; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature believes that governing  
5 bodies of public transportation benefit areas should reflect the  
6 communities that they serve. The legislature finds that these  
7 governing bodies have included a nonvoting labor representative since  
8 2010, and that these representatives have made valuable contributions  
9 to the governing bodies and have effectively functioned as full  
10 governing body members. Therefore, in order to recognize the value of  
11 the labor representative's input and to ensure that transportation  
12 benefit areas work for and represent the communities they serve, it  
13 is the intent of the legislature to make the labor representative on  
14 transportation benefit area governing bodies a voting member.

15 **Sec. 2.** RCW 36.57A.050 and 2020 c 83 s 2 are each amended to  
16 read as follows:

17 Within (~~sixty~~) 60 days of the establishment of the boundaries  
18 of the public transportation benefit area the members of the county  
19 legislative authority and the elected representative of each city  
20 within the area shall provide for the selection of the governing body

1 of such area, the public transportation benefit area authority(~~(7~~  
2 ~~which shall consist of elected officials)~~). The governing body shall  
3 consist of elected officials and a member from a labor organization.  
4 The elected officials shall be selected by and serving at the  
5 pleasure of the governing bodies of component cities within the area  
6 and the county legislative authority of each county within the area.  
7 The elected official members of the governing body of the public  
8 transportation benefit area, if the population of the county in which  
9 the public transportation benefit area is located is more than (~~four~~  
10 ~~hundred thousand~~) 400,000 and the county does not also contain a  
11 city with a population of (~~seventy-five thousand~~) 75,000 or more  
12 operating a transit system pursuant to chapter 35.95 RCW, must be  
13 selected to assure proportional representation, based on population,  
14 of each of the component cities located within the public  
15 transportation benefit area and the unincorporated areas of the  
16 county located within the public transportation benefit area, to the  
17 extent possible within the restrictions placed on the size of the  
18 governing body of a public transportation benefit area. If necessary  
19 to assure such proportional representation, multiple cities may be  
20 represented by a single elected official from one of the cities. A  
21 majority of the governing board may not be selected to represent a  
22 single component city. If at the time a public transportation benefit  
23 area authority assumes the public transportation functions previously  
24 provided under the interlocal cooperation act (chapter 39.34 RCW)  
25 there are citizen positions on the governing board of the transit  
26 system, those positions may be retained as positions on the governing  
27 board of the public transportation benefit area authority.

28 Within such (~~sixty-day~~) 60-day period, any city may by  
29 resolution of its legislative body withdraw from participation in the  
30 public transportation benefit area. The county legislative authority  
31 and each city remaining in the public transportation benefit area may  
32 disapprove and prevent the establishment of any governing body of a  
33 public transportation benefit area if the composition thereof does  
34 not meet its approval.

35 In no case shall the elected official portion of the governing  
36 body of a single county public transportation benefit area be greater  
37 than nine voting members and in the case of a multicounty area,  
38 (~~fifteen~~) 15 voting members. Those cities within the public  
39 transportation benefit area and excluded from direct membership on  
40 the authority are hereby authorized to designate a member of the

1 authority who shall be entitled to represent the interests of such  
2 city which is excluded from direct membership on the authority. The  
3 legislative body of such city shall notify the authority as to the  
4 determination of its authorized representative on the authority.

5 ~~((There is one nonvoting))~~ The remaining member of the public  
6 transportation benefit area authority ~~((The nonvoting member is))~~  
7 shall be recommended by the labor organization representing the  
8 public transportation employees within the local public  
9 transportation system. If the public transportation employees are  
10 represented by more than one labor organization, all such labor  
11 organizations shall select the ~~((nonvoting))~~ member by majority vote.  
12 The ~~((nonvoting))~~ member shall comply with all governing bylaws and  
13 policies of the authority. The chair or cochairs of the authority  
14 shall exclude the ~~((nonvoting))~~ member from attending any executive  
15 session held for the purpose of discussing negotiations with labor  
16 organizations. ~~((The chair or cochairs may exclude the nonvoting  
17 member from attending any other executive session.))~~ The requirement  
18 that a ~~((nonvoting member))~~ representative from a labor organization  
19 be appointed to the governing body of a public transportation benefit  
20 area authority does not apply to an authority that has no employees  
21 represented by a labor union.

22 Each member of the authority is eligible to be reimbursed for  
23 travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to  
24 receive compensation, as set by the authority, in an amount not to  
25 exceed ~~((forty-four dollars))~~ \$44 for each day during which the  
26 member attends official meetings of the authority or performs  
27 prescribed duties approved by the chair of the authority. Except that  
28 the authority may, by resolution, increase the payment of per diem  
29 compensation to each member from ~~((forty-four dollars))~~ \$44 up to  
30 ~~((ninety dollars))~~ \$90 per day or portion of a day for actual  
31 attendance at board meetings or for performance of other official  
32 services or duties on behalf of the authority. In no event may a  
33 member be compensated in any year for more than ~~((seventy-five))~~ 75  
34 days, except the chair who may be paid compensation for not more than  
35 ~~((one hundred))~~ 100 days: PROVIDED, That compensation shall not be  
36 paid to an elected official or employee of federal, state, or local  
37 government who is receiving regular full-time compensation from such  
38 government for attending meetings and performing prescribed duties of  
39 the authority.

1       The dollar thresholds established in this section must be  
2 adjusted for inflation by the office of financial management every  
3 five years, beginning January 1, 2024, based upon changes in the  
4 consumer price index during that time period. "Consumer price index"  
5 means, for any calendar year, that year's annual average consumer  
6 price index, for Washington state, for wage earners and clerical  
7 workers, all items, compiled by the bureau of labor and statistics,  
8 United States department of labor. If the bureau of labor and  
9 statistics develops more than one consumer price index for areas  
10 within the state, the index covering the greatest number of people,  
11 covering areas exclusively within the boundaries of the state, and  
12 including all items shall be used for the adjustments for inflation  
13 in this section. The office of financial management must calculate  
14 the new dollar threshold and transmit it to the office of the code  
15 reviser for publication in the Washington State Register at least one  
16 month before the new dollar threshold is to take effect.

17       A person holding office as commissioner for two or more special  
18 purpose districts shall receive only that per diem compensation  
19 authorized for one of his or her commissioner positions as  
20 compensation for attending an official meeting or conducting official  
21 services or duties while representing more than one of his or her  
22 districts. However, such commissioner may receive additional per diem  
23 compensation if approved by resolution of all boards of the affected  
24 commissions.

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